



RCE/1761  
#33  
08-18-02  
AW

Modified PTO/SB/30 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/000,366
Filing Date	January 28, 1998
First Named Inventor	Masahita HOASHI
Group Art Unit	1761
Examiner Name	D. BECKER
Attorney Docket Number	HOASHI 2

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000) 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
  - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered)
  - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
  - i. ☒ Amendment/Reply
  - ii. ☐ Affidavit(s)/Declaration(s)
  - iii. ☐ Information Disclosure Statement (IDS)
  - iv. ☒ Other Terminal Disclaimer

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## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required).
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when RCE is filed.

- a. ☒ For:
  - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
  - ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) (☐ \$ \_\_\_\_\_ already paid for \_\_\_\_\_ month(s) extension of time on \_\_\_\_\_)
  - iii. ☐ Other \_\_\_\_\_
- b. ☒ Payment by:
  - i. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed (Check No. \_\_\_\_\_)
  - ii. ☒ Credit card (Form PTO-2038 enclosed) authorized in the amount of \$ 960.00
  - iii. ☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4035
- c. ☒ Provisional extension of time if needed. Applicants authorize any charge of additional fees (except issue fee) which may be required in connection with this application to Deposit Account No. 02-4035.
- d. ☒ The director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No. 02-4035

## SIGNATURE OF APPLICANT, ATTORNEY, AGENT REQUIRED

Name (Print/Type)	Anne M. Kornbau	Registration No. (Attorney/Agent)	25,884
Signature		Date	August 13, 2002

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: \_\_\_\_\_

Name (Print/Type)	Registration No. (Attorney/Agent)
Signature	Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: HOASHI=2

Pre-Amend G  
08-18-02  
GW # 33

In re Application of:	)	Art Unit: 1761
Masahito HOASHI, et al.	)	Examiner: D. BECKER
Serial No.: 09/000,366	)	Confirmation No. 5189
Filed: January 28, 1998	)	Washington D.C.
For: METHOD FOR THAWING	)	August 13, 2002
FROZEN GROUND FISH	)	
MEATS	)	

PRELIMINARY AMENDMENT

Honorable Commissioner for Patents  
Washington, D.C. 20231

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In response to the Office Action of  
April 19, 2002, for which a one month extension of time to  
respond is hereby requested, please enter the following  
amendment:

IN THE CLAIMS

Please amend claim 1 as follows:

G1  
1. (Fifth Amendment) A method for thawing frozen  
ground fish meat which comprises milling a frozen ground fish  
meat mass to a substantially uniform particle size in the  
absence of partial thawing at -15°C or below, and then thawing  
without shearing the ground fish meat mass by elevating the  
temperature.

Please amend claim 7 as follows:

G2  
7. (Fifth Amendment) A process for producing  
materials for fish paste products which involves the step of  
milling a frozen ground fish meat mass to a uniform particle